

REMARKS

Claims 1-3 were rejected under 35 U.S.C. §103 as being unpatentable over U.S. Patent No. 6,477,543 issued to Huang et al. (Huang) in view of U.S. Patent No. 7,120,675 issued to Shupak et al. (Shupak). Claims 4-6, 8-9, 11-16, 18-19, 21-26, 28-29, 31, and 33-40 are rejected under 35 U.S.C. §103 as being unpatentable over Huang in view of Shupak and further in view of U.S. Patent Application Publication No. 2001/0005849 filed by Boothby et al. (Boothby). Claims 31 and 33-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang-Shupak-Boothby and further in view of Osman, U.S. Patent Publication No. 2002/0194293 A1 (Osman). Claim 60 is rejected under 35 U.S.C. 103(a) as being unpatentable over Huang-Shupak and further in view of Osman. In light of the foregoing amendments and following remarks, Applicants respectfully request the Examiner's reconsideration and reexamination of all pending claims.

As noted, independent Claim 1 was rejected under 35 U.S.C. §103 as being unpatentable over Huang in view of Shupak. The Office Action argues that most of the limitations in independent Claim 1 are found in Huang. Applicants respectfully disagree. For example, independent Claim 1 recites "receiving metadata from the server to update the application" and "updating the application on the handheld device using the metadata received from the server..." The Office Action seems to ignore the latter limitation of "updating the application on the handheld device using the metadata received from the server..." The Office Action asserts that column 13, lines 40-50 of Huang teaches Claim 1's limitation of "receiving metadata from the server to update the application." Applicants believe this cited section describes updating application data, not the application itself.

Column 13, lines 40-50 recite:

There may be many differences between the data management systems in one handheld device and the information management system deployed in the replica host of this handheld device (e.g., PALM PILOT™ e-mail vs. Lotus NOTES™ e-mail). For example, the data formats may be different. The storage capacities between the handheld device and the replica host may be different (e.g., PALM PILOT™ vs. workstation). The display devices between them may also be different (e.g., black-and-white low-resolution PALM PILOT™ screen vs. a high-resolution PC monitor). The need to properly transform information from one end (e.g., a workstation replica host) to the other (e.g., a PALM PILOT™) is addressed in the present invention by the execution of the transformation code.

This cited section of Huang states that, for example, data formats may be different; the storage capacities between the handheld device and the replica host may be different; the display devices between the handheld device and the replica may be different. These differences however, necessitate the need to properly transform information from the replica host to the handheld as set forth above in Huang. Importantly, this cited section does not speak to updating applications on the handheld device. Indeed, Huang is not at all concerned with updating applications on handheld devices. Rather, Huang is concerned with updating data of an application, not the application itself. Based on the foregoing, Applicants assert that independent Claim 1 is patentably distinguishable over the cited sections of Huang and Shupak.

Independent Claim 11 recites “means for updating the application on the handheld device using metadata received from the server...” This limitation is substantially similar to the limitation of independent Claim 1 argued above. The Office Action rejected Claim 11 using the same rationale that was used to reject independent Claim 1. For the same or similar reasons set forth above, Applicants assert that independent Claim 11 is patentably distinguishable over the cited sections of Huang and Shupak.

Independent Claim 21 recites “updating the application on the handheld device using metadata received from the server...” Like independent Claim 1, the Office Action asserts that column 13, lines 40-50 of Huang teaches “receiving metadata from the server to update the application on the handheld device,” a limitation which is not recited in independent Claim 21. Notwithstanding, Applicants will presume that the Office Action meant to cite column 13, lines 40-50 as teaching independent Claim 21’s requirement of “updating the application on the handheld device using metadata received from the server,” the same limitation as independent Claim 1 argued above. For the same or similar reasons that independent Claim 1 is patentably distinguishable over the cited sections, Applicants assert that independent Claim 21 is likewise patentably distinguishable.

Independent Claim 31 recites:

A meta data importer coupled to the user interface, wherein the metadata importer is configured to receive metadata from the server during the synchronization operation, the metadata comprising information for updating the user interface.

The prior independent claims argued above specifically recited the use of metadata received from the server for updating an application. Here in independent Claim 31, the metadata received from the server is used to update a user interface on the handheld device.

Notwithstanding this difference, the Office Action cites to the same section of Huang (column 13, lines 40-50) alleged to teach receiving metadata from the server to update the application. While this section of Huang may describe that display devices between a handheld device and its replica host may be different, this cited section does not teach updating the display, which is presumed to equate with Claim 31’s interface on the handheld device. Rather, this section of Huang is concerned with transforming information from the replica host to the handheld in order to accommodate differences in the display devices.

In other words, this cited section of Huang like the other sections of Huang is concerned with transforming application data, not the application itself. Accordingly, Applicants assert that independent Claim 31 is patentably distinguishable.

The Office Action does not specifically reject independent Claim 61. However, the Office Action rejects Claim 60, now canceled. Applicants presume the Office Action meant to apply the arguments for rejecting Claim 60 to independent Claim 61. The Office Action notes that Huang-Shupak teaches the invention substantially as claimed in independent Claim 1 as argued in the Office Action. Independent Claim 61 recites “receiving metadata from the server” and “updating the application on the handheld device using metadata received from the server...” These limitations are found in independent Claim 1 and argued above. For the same or similar reasons that independent Claim 1 is patentably distinguishable, Applicants assert that independent Claim 61 is likewise patentably distinguishable.

The remaining claims depend directly or indirectly from independent Claims 1, 21, and 31 and are patentably distinguishable for this reason.

CONCLUSION

Applicants submit that all claims are now in condition for allowance, and an early notice to that effect is earnestly solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is requested to telephone the undersigned.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicant hereby petitions for such extensions. Applicant also hereby authorizes that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to deposit account 502306.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Eric A. Stephenson', with a long horizontal line extending to the right.

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